

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 905 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

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Versus

STATE OF GUJARAT

Appearance:

MS SUBHADRA G PATEL for Petitioner

MR SK PATEL, APP, for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 21/10/1999

ORAL JUDGEMENT

1. Rule. Shri Patel waives service of Rule on behalf of the respondents. Heard the learned counsel for the parties.

2. The petitioner, a convict, has been sentenced to suffer rigorous imprisonment for life by the learned Sessions Judge, Ahmedabad under section 302 of the I.P.C. vide judgment dated 22-8-1994. He preferred an appeal

against the said judgment but the same was dismissed. The petitioner is on furlough leave and is praying for extension of furlough leave or for grant of parole leave for 30 days on the ground of self injury. A certificate has also been produced on the record of Sharma Polyclinic but after going through the contents of the certificate, I do not find it to be a serious injury which justifies keeping the petitioner out of the prison. This type of injury even if it is sustained can be taken care of by the jail doctors or if necessary by the doctors at Civil Hospital but merely on the basis of the certificate it is difficult to extend the furlough leave of the petitioner or to grant parole leave to him. These are the attempts on the part of the prisoners to get the extension of furlough leave or to get the parole leave.

3. The special criminal application is dismissed.
Rule discharged.

zgs/-